

SUZANNE L. MARTIN

Nevada Bar No. 8833

suzanne.martin@ogletreedeakins.com

OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.

10801 W. Charleston Blvd, Suite 500

Las Vegas, NV 89135

Telephone: 702.369.6800

Fax: 702.369.6888

*Attorneys for Defendants MGM Resorts International and
Bellagio, LLC*

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

BRENDAN TANKERSLEY,

Plaintiff,

vs.

MGM RESORTS INTERNATIONAL, a
Foreign Corporation; and, BELLAGIO, LLC, a
Domestic Corporation,

Defendants.

Case No.: 2:20-cv-00995-RFB-DJA

**STIPULATION AND ORDER TO
EXTEND SUMMARY JUDGMENT
BRIEFING SCHEDULE**

(FOURTH REQUEST)

Defendant MGM Resorts International and Bellagio, LLC (collectively, “Defendants”), and Plaintiff Brendan Tankersley (“Plaintiff”), by and through their undersigned counsel, hereby submit this Stipulation and Order to Extend Summary Judgment Briefing Schedule. The parties’ third request for such extension included a discrepancy in dates, resulting in a conflicting Order that does not accurately reflect the parties’ agreement. (ECF Nos. 80, 81). The current response date for Plaintiff’s Response to Defendants’ pending Motion for Summary Judgment (ECF No. 66) and Defendants’ response to Plaintiff’s anticipated summary judgment motion, which will be filed on July 13, 2022, is August 3, 2022. (ECF No. 81.) Defendants represent that they do not intend to withdraw or supplement their Motion for Summary Judgment (ECF No. 66) or file a second dispositive motion. (ECF No. 81.) The parties seek to extend the date for the respective responses to August 10, 2022, and, further, to allow 21 days, or until August 31, 2022 to file replies in

support of their respective summary judgment motions. This request is made in good faith, is not made to cause delay, is submitted pursuant to LR IA 6-1, LR IA 6-2, and LR 7-1, and is the parties' fourth request. As demonstrated below, good cause exists for the parties' request.

I. FACTUAL BACKGROUND

On June 27, 2022, the parties submitted a stipulation regarding the briefing schedule for Defendants' pending Motion for Summary Judgment and Plaintiff's anticipated Motion for Summary Judgment. (ECF No. 80.) The parties agreed that Defendants' pending motion (ECF No. 66) would be deemed filed on July 13, 2022, the date upon which Plaintiff intends to file a motion for summary judgment. (*Id.*) The parties further agreed to extend the briefing schedule on the summary judgment motions to allow 28 days, or until August 10, 2022, to file their respective responses, and 21 days, or until August 31, 2022, to file their respective replies. (*Id.*) Regrettably, the parties' stipulation included a date discrepancy, indicating conflicting response dates of August 3 and August 10, 2022. (*Id.*) The Court signed the Stipulation and Order, setting a response date of August 3, 2022. (ECF No. 81.)

II. GOOD CAUSE TO EXTEND BRIEFING SCHEDULE

In consideration of the above, the parties submit that good cause exists to extend the deadline for Plaintiff to respond to Defendants' motion for summary judgment (ECF No. 66), and the deadline for Defendants to respond to Plaintiff's anticipated summary judgment motion, to **August 10, 2022**. The parties further submit that the deadline to file replies in support of the respective summary judgment motions be extended to **August 31, 2022**. These dates accurately reflect the parties' prior agreement to streamline the briefing schedule for summary judgment in this matter. (*See* ECF No. 80.)

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1 **III. CONCLUSION**

2 For all the reasons set forth above, the parties submit that good cause exists to set briefing
3 for summary judgment in this matter to allow the parties up to **August 10, 2022**, to respond to one
4 another's respective motion for summary judgment, and until **August 31, 2022** to submit replies in
5 support of their respective motions.

6 DATED this 6th day of July, 2022. DATED this 6th day of July, 2022.

7 KEMP & KEMP

OGLETREE, DEAKINS, NASH, SMOAK & STEWART,
P.C.

9 /s/ Victoria L. Neal

/s/ Suzanne L. Martin

10 James P. Kemp
11 Nevada Bar No. 6375
12 Victoria L. Neal
13 Nevada Bar No. 13382
14 7435 W. Azure Drive, Ste. 110
15 Las Vegas, NV 89130
16 Attorney for Plaintiff

Suzanne L. Martin
Nevada Bar No. 8833
10801 W. Charleston Blvd, Suite 500
Las Vegas, NV 89135
Attorneys for Defendants MGM Resorts
International and Bellagio, LLC

17 **ORDER**

18 IT IS SO ORDERED.

19 Dated: July 11, 2022.

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21 UNITED STATES DISTRICT COURT JUDGE
22 RICHARD F. BOULWARE, II
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